

Message Text

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ACTION AF-18

INFO OCT-01 ISO-00 EB-11 AGR-20 COME-00 OMB-01 TRSE-00

AID-20 OC-06 CCO-00 SS-15 SPC-03 L-03 H-03 NSC-10

CIAE-00 DODE-00 INR-10 NSAE-00 PA-03 RSC-01 USIA-15

PRS-01 SCS-03 SCA-01 DRC-01 /146 W

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R 181408Z SEP 73

FM AMEMBASSY RABAT

TO SECSTATE WASHDC 125

INFO AMCONSUL CASABLANCA

AMCONSUL TANGIER

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E.O. 11652: N/A

TAGS: EIND, MO

SUBJ: SEIZURE OF RCA PROPERTIES IN TANGIER

REF: RABAT 3777

1. MFA NOTE DATED SEPT. 14 REPLIES TO OUR NOTE OF AUG. 14 ON RCA CASE. IT MAKES TWO POINTS. A. RCA PROPERTY AT TANGIER IS SUBJECT TO EXPROPRIATION UNDER DAHIR OF MARCH 2, 1973. B. RCA CAN NEVERTHELESS CONTINUE OPERATIONS AT TANGIER UNTIL EXPIRATION OF ITS 1959 AGREEMENT WITH GOM.

2. DURING CONVERSATION OVER WEEKEND, AMBASSADOR RAISED RCA CASE WITH MINISTER OF AGRICULTURE. ON SEPTEMBER 14, DCM AND ECON COUNCIL ALSO DISCUSSED IT WITH GHALI BENHIMA, DIRECTOR EUROPEAN AND AMERICAN DIVISION, MFA. FOLLOWING POINTS OF CLARIFICATION EMERGED DURING THESE TALKS. A. GOM HAS DECIDED THAT PROPERTIES WHICH COULD POTENTIALLY BE UTILIZED AGRICULTURALLY WILL BE CONSIDERED AGRICULTURAL LAND FOR PURPOSES OF LAND RECUPERATION PROGRAM. THEY THUS HAVE REJECTED OUR ARGUMENT THAT RCA PROPERTY SHOULD NOT BE TAKEN OVER SINCE IT HAS BEEN USED SOLELY AS A RADIO STATION.

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B. GOM WILL ALLOW RCA TO OPERATE IN TANGIER UNTIL PLANNED CLOSURE INSTALLATION EARLY IN 1974. C. PRINCIPLE THAT RCA WILL BE COMPENSATED FOR PROPERTY IS WELL ESTABLISHED BUT "MODALITIES" OF COMPENSATION MUST BE STUDIED FURTHER. WE ASKED BENHIMA WHETHER

BUILDINGS AND EQUIPMENT ON RCA PROPERTY WOULD ALSO BE SEIZED. HE SAID THAT NO DECISION HAD BEEN MADE ON THIS QUESTION BUT IN HIS PERSONAL OPINION, THEY WOULD NOT BE.

3. ACCORDING TO BENHIMA, WE WILL ALSO SHORTLY GET FORMAL REPLIES TO OUR QUESTIONS ON VOA ACCESS RAODS AND MISSIONARY PROPERTY AT AZROU. HE INDICATED "SOMETHING WILL BE WORKED OUT" IN BOTH THESE CASES. MIN AGRICULTURE SAID SAME THING.

4. QUESTION POSED FOR US IS WHAT FURTHER MEASURES TO TAKE REGARDING RCA PROPERTY. WE IMAGINE THAT COMPANY WILL BE MADE UNHAPPY BY GOM RESPONSE AND, JUDGING BY PAST PERFORMANCE, WE UNDERTAIN WHETHER COMPENSATION AGREED ON IN PRINCIPLE WILL IN FACT PROMPT, EFFECTIVE AND ADEQUATE. WE PROPOSE RETURNING TO FOREIGN MINISTRY WITH NOTE REQUESTING CLARIFICATION REGARDING COMPENSATION AND DISPOSABILITY BUILDINGS AND EQUIPMENT. WOULD WELCOME ANY SUGGESTIONS DEPARTMENT MAY HAVE IN TERMS LANGUAGE, PRECEDENTS, ETC. IN MEANTIME, SUGGEST DEPARTMENT CALL IN AMBASSADOR SENOUSI AND POINT OUT TO HIM THAT RCA PROPERTY IS VALUABLE (COMPANY PUTS TOTAL BOOK VALUE AT \$1.4 MILLION, OF WHICH LAND AND BUILDINGS REPRESENT \$209,000, AND HAD BEEN HOPING SELL WHOLE PROPERTY TO GOM FOR \$750,000) AND THAT PROMPT PAYMENT OF ADEQUATE COMPENSATION WILL AVOID POTENTIAL CONTENTIOUS ISSUE IN OUR RELATIONS. DEPARTMENT MAY ALSO WISH TO SUGGEST TO HIM THAT GOM TO DISCOVER THAT LAND IN QUESTION DOES NOT HAVE "VOCATION AGRICOLE" AND THEREFORE NOT COVERED BY DAHIR OF MARCH 2, THIS WOULD SOLVE PROBLEM VERY SIMPLY. PROPERTY COULD CONCEIVABLY BE CULTIVATED BUT IS NOW MOSTLY COVERED WITH DENSE SCRUB AND CULTIVATION WOULD BE SECONDARY USE OF PROPERTY AS LONG AS IT OPERATED AS RADIO STATION. ITS PRIMARY VOCATION NOT AGRICULTURAL AT THIS POINT, OR WHEN DAHIR WENT INTO EFFECT.

5. TANGIER IS INFORMING LOCAL RCA MANAGER OF GOM DECISION. DEPT MAY WISH ALSO PASS WORD TO RCA IN NEW YORK. ROCKWELL

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